



05-05-04

3662

Filed Via Express Mail
Rec. No.: EL 980147571US
On : May 4, 2004

By
Eric L. Maldonado

Any fee due as a result of this paper, not covered by an enclosed check, may be charged on Deposit Acct. No.50-1290.

Attorney Docket No. FUJH 13.010A(100794-10141)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Shinichirou HARASAWA, et al.
Serial No.: 09/084,787
Filed: May 21, 1998
Title: INPUT MONITORING SYSTEM...
Examiner: N. MOSKOWITZ
Art Unit: 3662
Con. No.: 5949

May 4, 2004

Director of the U.S. Patent and
Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

In order to comply with discretionary rules 37 CFR §§1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and a copy of the documents listed thereon. This document contains information in which the Examiner may consider to be important in deciding whether to issue a patent in the instant application.

Also attached is a copy of a Japanese Office Action dated February 10, 2004 from the corresponding Japanese Patent Application. All of the documents listed in Form PTO-1449 appear in the Japanese Office Action.

For documents written in a language other than English, English language abstracts are annexed thereto explaining relevancy in accordance with 37 CFR §1.98 (a)(3).

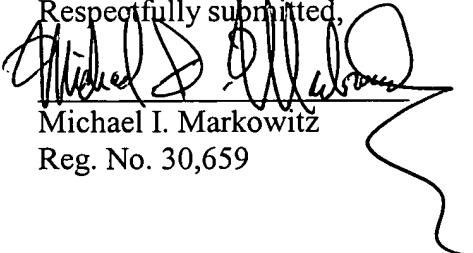
Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement, so no fee is due.

The present Information Disclosure Statement is being submitted in compliance with 37 §CFR 1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 (a), and in the course of such search will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is respectfully solicited.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

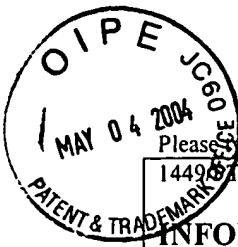

Michael I. Markowitz
Reg. No. 30,659

CUSTOMER NO.: 026304

(Tel) 212-940-8800

(Fax) 212-940-8986

Docket No.: FUJH 13.010A(100794-10141)



Please type a plus sign (+) → +

Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

1449570

U.S. Department of Commerce
Patent and Trademark Office

Application No.	: 09/084,787
Filing Date	: May 21, 1998
First Named Inventor:	S. HARASAWA
Group Art Unit	: 3662
Examiner Name	: N. MOSKOWITZ
Attorney Docket No. : FUJH 13.010A	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document	Kind Code if known ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear

FOREIGN DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵ (if known)	Country	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY/Y	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		04-344725	JP	FUJITSU LTD	12/01/1992	
		05-289127	JP	HITACHI CABLE LTD	11/05/1993	
		05-284114	JP	TOSHIBA CORP	10/29/1993	

Other Prior Art-Non Patent Literature Documents

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, country, where published, source.	Applicant check here if English language translation attached
Examiner Signature		Date Considered	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1⁴ if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Notice of Reasons for Rejection

Patent application number: H7 [1995] Patent Application No. 059121
Date of drafting: February 3, 2004
Patent Office examiner: Kazumitsu Kudo 9274 5J00
Patent applicant's agent: Tsunenori Hayashi
Applicable provisions: Article 29, paragraph 2

This application must be rejected for the following reasons. If you have an opinion concerning this, please submit an argument within 60 days from the transmission date of this notice.

Reasons

Under the provisions of article 29, paragraph 2 of the Patent Law, the invention relating to the following claims of this application may not be granted a patent, because it could easily have been invented by a person who has the usual knowledge in the field of technology to which the invention belongs, prior to the application, based on the inventions that appear in the following publications (1)-(3), which were distributed in Japan or abroad prior to the application.

*** (For the cited references, etc., see the Table of cited references, etc.)

With respect to claim 5

Cited example 1

Also, described in cited example 1 is an optical amplification repeater that has and consists of Er dope fiber [sic; probably a misprint for “erbium-doped fiber”] (optical fiber amplifier), an optical coupler provided on the input side of said Er dope fiber (optical fiber amplifier), and an avalanche photodiode (APD) that monitors the level of the input light that is branched by said optical coupler and whose amplification factor is 1 or more.

With respect to claim 6

Cited examples 1, 2

Also, it is stated in cited example 1 that it has on the output side of the Er dope fiber (optical fiber amplifier) a coupler and a semiconductor laser module (laser diode for excitation).

And described in cited example 2 is an optical fiber amplifier that consists of an optical fiber to which a rare-earth element is added (erbium-doped fiber) and that has on the output side of said optical fiber amplifier an optical directional coupler (coupler), a semiconductor laser for excitation (laser diode),

and an input level monitoring light-sensing circuit (photodiode) that monitors the excitation light of said semiconductor laser for excitation (laser diode) via said optical directional coupler (coupler).

Therefore it is found that in the optical amplification repeater described in cited example 1, one skilled in the art could easily have an input level monitoring light-sensing circuit (photodiode) for input level monitoring that monitors the excitation light of a semiconductor laser module (laser diode for excitation) via a coupler.

With respect to claim 7

Cited examples 1, 2

Also, described in cited example 2 is an optical fiber amplifier that consists of an optical fiber to which a rare-earth element is added (erbium-doped fiber) and that has on the output side of said optical fiber amplifier an optical directional coupler (coupler), a semiconductor laser for excitation (laser diode), and a light-sensing circuit (photodiode) that monitors the backward output of said semiconductor laser for excitation (laser diode).

Therefore it is found that in the optical amplification repeater described in cited example 1, one skilled in the art could easily have a light-sensing circuit (photodiode) that monitors the backward output of a semiconductor laser module (laser diode for excitation).

With respect to claim 8

Cited example 3

Also, described in cited example 3 is an optical repeater that has an erbium-doped optical fiber (optical fiber amplifier) that amplifies signal light (input light) by excitation light, a wavelength multiplexing coupler (branching means) that branches the signal light (input light) to said erbium-doped optical fiber (optical fiber amplifier), an optical filter that excludes said excitation light component among the branched light from said wavelength multiplexing coupler (branching means), and an optical detector (detection means) that detects the level of the output light of said optical filter.

Here, drawing number 25 that appears in Figure 2 of said cited example 3 is denoted in paragraph number [0014] by “optical fiber 25”, and as a result of considering said paragraph number [0014] and what appears in claim 5, it is concluded that said drawing number 25 is not “optical fiber 25” but rather a misprint for “optical filter 25”.

Regarding inventions relating to claims other than the claims pointed out in this notice of reasons for rejection, no reasons for rejection have been discovered at this time. If any reasons for rejection are newly discovered, notice of the reasons for rejection will be given.

Table of cited references, etc.

- (1) Unexamined patent H4-344725 [1992] [see, for example, the text relating to Figure 6]
 - (2) Unexamined patent H5-289127 [1993] [see, for example, the text relating to Figures 1, 2]
 - (3) Unexamined patent H5-284114 [1993] [see, for example, the text relating to Figure 2]
-

Record of results of search of prior technical literature

- Field searched: IPC version 7, H04B 10/00

Direct any inquiries concerning the content of this notice of reasons for rejection, or any request for a meeting, to the following.

Patent Examination Department 4, Transmission Systems TEL: 03(3581)1101, extension 3535